

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PAMELA HENDERSON : **CIVIL ACTION**
:
v. :
:
DELAWARE COUNTY PARK POLICE, et al. : **NO. 09-4866**

SCHEDULING ORDER

AND NOW, this 15th day of January, 2010, following a preliminary pretrial conference, it is hereby **ORDERED** that:

1. All fact discovery shall be completed by May 14, 2010.
2. On or before May 14, 2010, counsel for the parties are directed to contact Magistrate Judge L. Felipe Restrepo's Chambers to schedule a settlement conference.
3. Plaintiff shall produce their expert report(s) by May 28, 2010. Defendants shall produce their expert report(s) by June 11, 2010. Plaintiff's expert witness rebuttal reports (if necessary) shall be produced by June 25, 2010. All expert discovery, including all depositions of expert witnesses, shall be completed by July 9, 2010.
4. Any party expecting to offer opinion testimony from lay witnesses pursuant to Federal Rule of Evidence 701 with respect to the issues of liability and/or damages shall, within the time required for the submission of expert discovery set forth above, serve opposing parties with concise details and/or documents covering the lay opinions of the Rule 701 witnesses, including the identity of each witness offering expert opinion, the substance and the basis for each opinion.
5. All motions for summary judgment, *Daubert* motions or other dispositive motions must be filed no later than July 30, 2010. Responses to such motions shall be filed

by August 20, 2010.

6. On or before October 1, 2010, counsel for each party shall serve upon counsel for every other party:
 - a. A copy of each exhibit the party expects to offer at trial, together with an index of all trial exhibits marked with consecutive numbers;
 - b. Proposed trial stipulations.
7. No later than October 15, 2010, the parties shall file their pretrial memoranda and motions in limine. The pretrial memoranda shall be prepared in conformance with Local Rule of Civil Procedure 16.1(c) and shall include the following information:
 - a. The identity of each fact witness, liability and damages, to be called at trial with a brief statement of the nature of the expected testimony (witnesses not listed may not be called by that party in its case-in-chief);
 - b. The identity of each expert witness to be called at trial with a brief statement of each opinion to be offered by the expert;
 - c. Designation of videotaped trial testimony and deposition testimony to be offered at trial;
 - d. A list of each item of monetary damages claimed, including, as appropriate, computations of lost earnings and loss of future earning capacity, medical expenses, property damages, and any other economic loss, or, if relief other than monetary damages is sought, information adequate for framing an order granting the relief sought;
 - e. Stipulations, if any;
 - f. Objections to, and the grounds for the objections to the admissibility of any

- item of evidence, including exhibits;
- g. Any party objecting to deposition testimony shall file the objections, setting forth the page and line numbers of the challenged testimony and the basis for each objection. The objecting party must provide the Court with a copy of the portions of the deposition transcript with the challenged testimony highlighted; and
- h. A statement of any anticipated legal issues on which the Court will be required to rule.

8. Responses to motions in limine, if any, shall be filed no later than October 29, 2010.
9. No later than November 5, 2010, the parties shall file joint proposed jury instructions on substantive issues and proposed verdict forms or special interrogatories to the jury. Each party shall also file proposed jury instructions, verdict forms or special interrogatories on those issues not agreed upon by the parties. Each jury instruction shall be submitted on a separate sheet of paper, double spaced, with references to citations and pattern jury instructions where appropriate.
10. Prior to the final pretrial conference, counsel shall confer regarding stipulations and exhibits. Counsel shall resolve, if possible, objections to exhibits and witnesses.
11. A final pretrial conference will be held on November 10, 2010, at 10:00 a.m. in Chambers. Counsel shall supply the Court and opposing counsel with a tabbed exhibit binder and exhibit index. An additional binder shall also be prepared for Court staff and for use by witnesses.
12. At the final pretrial conference, counsel shall be prepared to argue pending motions in limine, and objections to witnesses and exhibits. Counsel shall be prepared to

state their objections to witnesses and exhibits, and to respond to opposing counsel's objections.

13. This matter is scheduled for trial on November 16, 2010 at 9:30 a.m. All counsel are attached.

BY THE COURT:

/s/ Mitchell S. Goldberg

Mitchell S. Goldberg, J.